

Draft 401 Water Quality Certification for April 2, 2014, Public Notice. The findings, determination and assertions contained in this document are not final and subject to change following the public comment period.

Jeff Niermeyer, Director
Salt Lake Public Utilities
1530 S. West Temple
Salt Lake City, UT
84115

Re: DRAFT Approval of a 401 Water Quality Certification with Conditions.

Water Quality Certification No.: DWQ-2014-004619 for Parley's Watershed Protection Project.

Applicant: Salt Lake City Public Utilities.
Project: Parley's Watershed Protection Project, 401 Water Quality Certification.
Purpose: The purpose of this project is to protect water quality from a potential petroleum spill by installing a concrete isolation structure in Mountain Dell Creek.
Location: Mountain Dell Creek project area is located just above Mountain Dell Reservoir and below Little Dell Reservoir in Parley's Canyon in the Jordan River Watershed Management Unit in Salt Lake County, Utah. U.S.G.S. Quadrangle Mountain Dell, East Half Quarter, Section 3.
Watercourse: Mountain Dell Creek and all associated surface tributary systems from Mountain Dell Reservoir to Little Dell Reservoir.
Public Comment Period: 4/2/2014 – 4/17/2014. Public Notice comment period was less than the normal 30 day period because the proposed permitted activities will cause only minimal individual and cumulative water quality impacts.
Public Comments Received: **To be determined.**

Dear Mr. Niermeyer:

Pursuant to Section 401 of the Federal Water Pollution Control Act, commonly known as the Clean Water Act (CWA), the Utah Department of Environmental Quality, Division of Water Quality (DWQ) certifies it has reasonable assurances that any discharge associated with Letter of Permission (LOP) activities found in USACE SPK 2013-00772-UO will not violate surface water quality standards, or cause additional degradation in surface waters not presently meeting water quality standards. In accordance with Section 401(a)(1) of the CWA [33 U.S.C. Sec. 1341(a)(1)], DWQ hereby issues this 401 Water Quality Certification provided the conditions outlined below are met and included in the USACE SPK 2013-00772-UO, LOP permit issued to Salt Lake City Public Utilities.

Mountain Dell Creek has the following beneficial use classifications: 1C (protected for domestic drinking water); 2B (infrequent primary contact recreation); 3A (protected cold water fishery and aquatic life). Mountain Dell Creek is not impaired and meets all assessed water quality standards.

Therefore, as a condition of Water Quality Certification for this project, the DWQ has requested that the USACE include the following conditions in the USACE SPK-2013-00772-UO, LOP permit issued to Salt Lake City Public Utilities:

1. Water quality standards in the Mountain Dell Creek could be violated unless appropriate Best Management Practices (BMPs) are incorporated to minimize the erosion-sediment load to any adjacent waters during project construction activities. Sediment retention efforts will be put in place at all drainage areas along the construction corridor to minimize movement of sediment into the water courses. Type II turbidity curtains or an equally protective measure will be utilized around the project site during construction.
2. All activities conducted in the waters of state must implement and maintain best management practices (BMPs) to fully protect the assigned beneficial uses. If during project implementation there are indications that water quality standards are not being met, then, the BMPs must immediately be modified as necessary to ensure compliance with water quality standards.
3. The applicant cannot cause water turbidity in Mountain Dell Creek and associated tributaries to increase an additional 10 NTU's or any visible increase in turbidity, if these conditions are violated the applicant shall immediately notify the DWQ contact listed below.
4. Refueling equipment and storage of lubricants and fuels will occur at designated staging areas and in state approved containers. The storage and refueling areas will be at least 500 feet from the edge of the nearest water body (including wetlands), at least 200 feet from the nearest private water supply well, and at least 100 feet from the nearest municipal water supply well.
5. Utah Code Annotated 19-5-114 requires that any spill or discharge of oil or other substances which may cause pollution to the waters of the State, i.e. adjacent wetlands, must be immediately reported to the Utah DWQ by calling 1-801-536-4123, which is a 24-hour spill reporting phone number.
6. The applicant shall protect any potentially affected fish spawning areas.
7. All disturbed areas will be revegetated with native species or nonnative species that are not invasive and that are both woody (trees and shrubs) and herbaceous species. Planting the riparian zone should be done as work proceeds or at the latest, immediately upon completion of stream construction activities. The applicant will implement integrated BMPs to help ensure restoration efforts are successful, including managing disturbed areas of Mountain Dell Creek related to project construction for a period of five years.
8. The applicant shall not use any fill material which may leach organic chemicals (e.g., discarded asphalt) or nutrients (e.g., phosphate rock) immediately adjacent or into Mountain Dell Creek.
9. The applicant shall obtain the following permits from the DWQ prior to the construction phase of the project:
 - o Dewatering activities, if necessary during the construction, may require coverage under the UPDES General Permit for Construction Dewatering, Permit No. UTG070000. A

fact sheet describing the permit application procedures are located on our web site at: <https://secure.utah.gov/stormwater/main.html>. The permit requires water quality monitoring every two weeks to ensure that the pumped water is meeting permit effluent limitations, unless the water is managed on the construction site.

- Construction activities that disturb one acre or more are required to obtain coverage under the Utah Pollutant Discharge Elimination System (UPDES) Storm Water General Permit for Construction Activities, Permit No. UTR300000. The permit requires the development of a storm water pollution prevention plan (SWPPP) to be implemented and updated from the commencement of any soil disturbing activities at the site until final stabilization of the project. A fact sheet describing the permit application procedures are located on our web site at: <https://secure.utah.gov/stormwater/main.html>

Please contact Mr. Bill Damery at (801) 536-4354, wdamery@utah.gov with any questions you may have concerning this 401 Water Quality Certification with Conditions.

Sincerely,

| Walter L. Baker, P.E.
Director

WLB:wd
File: DWQ-2014-004619
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cc'd: Royal DeLegge, Salt Lake County Health Department